

Message Text

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46

ORIGIN EB-11

INFO OCT-01 EUR-25 ADP-00 L-03 IO-12 INRE-00 CAB-09

CIAE-00 COME-00 DODE-00 INR-09 NSAE-00 RSC-01 FAA-00

USIE-00 PA-03 PRS-01 SS-14 NSCE-00 NSC-10 H-02 SY-07

DOTE-00 TRSE-00 M-03 A-01 AF-10 ARA-11 EA-11 NEA-10

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DRAFTED BY EB/ OA/ AVP: JSRAVATT: L/ EB: HRGAITHER: JO

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FM SECSTATE WASHDC

TO AMCONSUL MONTREAL IMMEDIATE

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E. O. 11652: N/ A

TAGS: ETRN, XX

SUBJECT: ICAO INTERPRETATION OF WORD " SAFETY" IN CHICAGO
CONVENTION

REF : MONTREAL 553

FOR US REP ICAO

1. DEPT BELIEVES C- WP/5732 GIVES ADEQUATE SUPPORT FOR
INTERPRETATION OF WORD " SAFETY", AS IT OCCURS IN
CONCLUDING PART OF ARTICLE 37 OF CHICAGO CONVENTION,
AS RELATING TO FREEDOM FROM ANY DANGER TO CIVIL AVIATION,
FROM WHATEVER SOURCE, INCLUDING DELIBERATE ACTS SUCH AS
SABOTAGE OR UNLAWFUL SEIZURE OF AIRCRAFT. SUGGEST YOU
JOIN WITH OTHERS IN SUPPORTING THIS CONCLUSION BY
COUNCIL OR IF NECESSARY YOURSELF PROPOSE COUNCIL REACH
THIS CONCLUSION, IN ACCORDANCE WITH ITS AUTHORITY
UNDER ARTICLE 54 (N) OF CONVENTION.

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2. IF ISSUE ARISES, YOU SHOULD OPPOSE SUBMISSION ON
INTERPRETATION OF " SAFETY" TO ICAO LEGAL COMMITTEE ON
GROUNDS SECRETARIAT PAPER CAREFULLY AND FULLY GIVES
BACKGROUND OF PROBLEM, THAT LEGAL COMMITTEE WOULD ONLY
REPORT BACK TO COUNCIL WHICH WOULD THEN HAVE TO
AGAIN ACCEPT OR REJECT OR MAKE ITS OWN INTERPRETATION AND
THAT COUNCIL SHOULD REACT NOW IN ORDER THAT SARPS CAN BE
ADOPTED PROMPTLY WITHOUT OPEN QUESTION OF LEGALITY. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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